

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

Corey Harris,	:	CIVIL ACTION
	:	
Plaintiff	:	
	:	
v.	:	C.A. No.: 04-369 ERIE
	:	
	:	
Domestic Relations Section, et al.,	:	
	:	
Defendants	:	Magistrate Judge Baxter

**MOTION TO DISMISS PLAINTIFF'S COMPLAINT
PURSUANT TO FED. R.C.P. 12(b)(1) AND 12(b)(6) FILED ON
BEHALF OF DEFENDANT, MARK CAUSGROVE**

AND NOW, this 28th day of April, 2006, comes defendant, Mark Causgrove, by and through his counsel, Matthew J. McLaughlin, and files this motion to dismiss plaintiff's complaint pursuant to Fed. R.C.P. 12(b)(1) and 12(b)(6), stating in support thereof the following:

1. Plaintiff has failed to state a claim upon which relief can be granted as to defendant, Mark Causgrove, because plaintiff's claims are barred by the Rooker-Feldman doctrine.

WHEREFORE, it is respectfully requested that this Honorable Court recommend that the claims of plaintiff, Corey Harris, against defendant, Mark Causgrove, be dismissed, with prejudice.

Respectfully submitted,

S/Matthew J. McLaughlin
Matthew J. McLaughlin
Assistant Solicitor for Erie County
246 West Tenth Street
Erie, Pennsylvania 16501
(814) 454-1010
Counsel for defendant,
Mark Causgrove

Dated: April 28, 2006

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

Corey Harris,	:	CIVIL ACTION
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Plaintiff	:	
	:	
v.	:	C.A. No.: 04-369 ERIE
	:	
	:	
Domestic Relations Section, et al.,	:	
	:	
Defendants	:	Magistrate Judge Baxter

CERTIFICATE OF SERVICE

_____The undersigned hereby certifies that a true and correct copy of the within motion to dismiss plaintiff's complaint pursuant to Fed. R.C.P. 12(b)(1) and 12(b)(6) filed on behalf of defendant, Mark Causgrove, was served upon plaintiff, Corey Harris, on April 28, 2006, via United States, first class mail, postage pre-paid, and upon all counsel of record via electronic filing, in accordance with the applicable Rules.

By: S/Matthew J. McLaughlin
Matthew J. McLaughlin
Assistant Solicitor for Erie County
246 West Tenth Street
Erie, Pennsylvania 16501
(814) 454-1010
Counsel for defendant,
Mark Causgrove

Dated: April 28, 2006